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11 Attorney for Plaintiff

12 ANTHONY YARBER

13 **UNITED STATES DISTRICT COURT**

14 **NORTHERN DISTRICT OF CALIFORNIA-SAN FRANCISCO DIVISION**

15  
16 ANTHONY YARBER,

17 Plaintiff,

18 vs.

19 FEDERAL EXPRESS  
20 CORPORATION, a business entity;  
21 and DOES 1-25, inclusive,

22 Defendants.  
23

CASE NO.: C07-02695 CRB

**STIPULATED ENTRY OF  
DISMISSAL WITH PREJUDICE**

[Proposed Order filed concurrently  
herewith]

24  
25 Now come the parties, ANTHONY YARBER ("Plaintiff") and Defendant  
26 FEDERAL EXPRESS CORPORATION by and through counsel, and pursuant to  
27  
28

1 Rule 41(a)(1) file this Stipulated Entry Of Dismissal With Prejudice of Plaintiff's  
2 above-styled action, with each party to bear its or her own costs and fees.

3  
4 Plaintiff's above-styled action, styled *Anthony Yarber v. Federal Express*  
5 *Corporation*, Case No. C07-02695 CRB (originally filed as Case No. RG 07321738 in  
6 the Superior Court of California for the County of Alameda) is accordingly dismissed  
7 with prejudice. Each party shall be responsible for their own costs and attorneys fees.  
8

9  
10 **ORDER**

11 **IT IS SO ORDERED**

12 Dated: \_\_\_\_\_, 2008

13 \_\_\_\_\_  
14 Honorable Charles R. Breyer  
U.S. District Judge

15 **SUBMITTED**

16  
17 Dated: January 08, 2008

18  
19 By: \_\_\_\_\_

20 Paul B. Justi  
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**CERTIFICATE OF SERVICE**

I declare that I am employed with the Legal Department of Federal Express Corporation, whose address is 2601 Main Street, Suite 340, Irvine, California 92614.

I am not a party to the within cause, and I am over the age of eighteen years.

I further declare that on January 22, 2008, I served a copy of:

**STIPULATED ENTRY OF DISMISSAL WITH PREJUDICE**

- ☒ **BY U.S. MAIL [Fed. Rule Civ. Proc. rule 5(b)]** by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, addressed as follows, for collection and mailing at FedEx, 2601 Main Street, suite 340, Irvine, California 92614 in accordance with FedEx's ordinary business practices.

I am readily familiar with FedEx's practice for collection and processing of correspondence for mailing with the United States Postal Service, and know that in the ordinary course of FedEx's business practice the document(s) described above will be deposited with the United States Postal Service on the same date that it (they) is (are) placed at FedEx with postage thereon fully prepaid for collection and mailing.

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**Tel: 925-837-9677 / Fax: 925-837-0548**  
**Attorney for Plaintiff Anthony Yarber**

I declare under penalty of perjury that the foregoing is true and correct. I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed at Irvine, California, this 22<sup>nd</sup> day of January, 2008.

  
Deborah A. Purnell